

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

**LIBERTY FUND, INC.,**

**Petitioner,**

**v.**

**ELAINE CHAO, Secretary of Labor, et al.**

**Respondents.**

**Civil Action No. 04-0915 (JDB)  
(and consolidated cases No. 05-142, 05-144, 05-145,  
05-147, 05-148, 05-149, 05-150, 05-156, 05-258,  
05-259, 05-260, 05-261, 05-262, and 05-412 )**

**ORDER**

Upon consideration of [#24] respondents' motion to dismiss or, in the alternative, for summary judgment, [#27] petitioners' cross-motion for summary judgment, and [#34, #35] petitioners' notices of dismissal of Civil Actions No. 05-149, 05-142, and 05-258, and for the reasons stated in the memorandum opinion issued on this date, it is hereby

**ORDERED** that the following actions are dismissed: Heritage Contracting LLC v. Chao, Civil Action No. 05-149; North Carolina Hospitality Group v. Chao, Civil Action No. 05-142; and Gaffar v. Chao, Civil Action No. 05-258; it is further

**ORDERED** that respondents' motion for summary judgment is **GRANTED**; it is further

**ORDERED** that petitioners' cross-motion for summary judgment is **DENIED**; and it is further

**ORDERED** that judgment is entered for respondents.

/s/

JOHN D. BATES

United States District Judge

Date: September 30, 2005

Copies to:

Paul Shearman Allen  
James T. Reynolds  
PAUL SHEARMAN ALLEN & ASSOCIATES  
1329 18th Street, NW  
Washington, DC 20036  
Email: paulallen@drgreencard.com, jamestreynolds@drgreencard.com

Edward Lamar Allen  
1400 Locust Rd., NW  
Washington, DC 20012

Mark Anthony Mancini  
WASSERMAN, MANCINI & CHANG  
1915 I St., NW, Suite 400  
Washington, DC 20006  
Email: wmclawfirm@aol.com

*Counsel for petitioners*

Heather R. Phillips  
Megan Lindholm Rose  
U.S. ATTORNEY'S OFFICE  
FOR THE DISTRICT OF COLUMBIA  
555 4th Street, NW  
Washington, DC 20530  
Email: heather.phillips@usdoj.gov, megan.rose@usdoj.gov

*Counsel for respondents*